

STATINTL

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OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS			DATE	INITIALS
1	7D35 Hqs.				
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ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	
Remarks:					
FOLD HERE TO RETURN TO SENDER					
FROM: NAME, ADDRESS AND PHONE NO.				DATE	
7D07 Hqs.				10/9/75	
UNCLASSIFIED		CONFIDENTIAL		SECRET	

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OGC 75-3698
7 October 1975

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MEMORANDUM FOR:



, OLC

SUBJECT : S. 2068 and S. 2167 Relating to the Disclosure of Lobbying Activities

REFERENCES : A. Draft OLC Letter for DCI Signature, OLC 75-1798/b, dtd 22 September 1975

B. OGC Memoranda 75-2022 and 75-2021, dtd 28 May 1975 (Comments on S. 774 and S. 815)

1. In general, I concur with the approach taken in the referenced draft OLC letter with respect to the subject bills designed to regulate disclosure of lobbying activities. Indeed, your remarks are in many respects identical to those made in a previous letter to Congress from the DCI concerning similar bills. See referenced OGC memoranda.

2. I believe, however, that you should consider taking more strident opposition to these bills. Since Congress almost certainly is not after the types of activities in which the Agency is normally engaged, in this proposed legislation, Congress should be amenable to a suggestion that a specific exemption, if not of the Agency, then of the sensitive information which this Agency would like to protect, be incorporated in the bills. The language of such an exemption might take any one of a variety of forms. Consider the following:

Nothing contained in this Act shall be construed to require the disclosure of information which is prohibited or otherwise exempted from disclosure by law.

3. Similar language exists in the Freedom of Information Act in section 552(b)(3). Congress apparently considered non-disclosure of such information a reasonable exception to public access to information concerning the operation of the Government. By wording the exemption to the lobbying bills in general terms, it would be responsive to any changes in Agency statutory authorities which may be forthcoming.

4. It is up to your best judgment, of course, as to whether the suggestion of an exemption should be made in the letter or taken up directly with your counterparts in Congress.

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Office of General Counsel